

House Engrossed

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**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

CHAPTER 175

HOUSE BILL 2048

AN ACT

AMENDING SECTIONS 28-8242 AND 28-8323, ARIZONA REVISED STATUTES; RELATING TO
AVIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-8242, Arizona Revised Statutes, is amended to
3 read:

4 28-8242. Powers and duties

5 A. The department:

6 1. Shall cooperate with all state, local and federal organizations to
7 encourage and advance the safe and orderly development of aviation in this
8 state.

9 2. May:

10 (a) Assemble and distribute to the public information relating to
11 aviation, landing fields, navigational aids and other matters pertaining to
12 aviation.

13 (b) Accept, in the name of this state, federal monies made available
14 for the advancement of aviation.

15 (c) Represent this state on issues of routing structures and rate
16 schedules concerning commercial airline traffic.

17 (d) Accept and receive federal and other public or private monies for
18 the acquisition, construction, enlargement, improvement, maintenance,
19 equipment or operation of airports and other air navigation facilities and
20 sites for air navigation facilities or for any other purpose authorized by
21 this section. The department shall deposit, pursuant to sections 35-146 and
22 35-147, these monies in the state aviation fund.

23 (e) Facilitate the development of a regional airport.

24 (f) Loan monies from the state aviation fund to an airport authority
25 that enters into an agreement with the United States for an airport
26 development project if the airport authority designates in its agreement with
27 the United States that payment of federal participating monies shall be made
28 to the department acting as the agent of the airport authority and enters
29 into an agreement with the department appointing the department as agent of
30 the airport authority to receive all federal participating monies. The
31 department shall deposit, pursuant to sections 35-146 and 35-147, all monies
32 received pursuant to this subdivision in the state aviation fund. For the
33 purposes of this subdivision, "airport authority" means the governing body of
34 a public airport operating pursuant to sections 28-8423 and 28-8424 or a
35 joint powers airport authority.

36 B. Notwithstanding section 38-623, the director may authorize
37 personnel of the department to use rental aircraft in the performance of
38 their duties at the prevailing hourly rate. The rental fee is a charge
39 against monies appropriated for in-state and out-of-state travel.

40 C. The director shall adopt rules as necessary to administer this
41 article and articles 1, 3, 4 and 5 of this chapter and to promote public
42 safety and the best interests of aviation in this state. The rules shall not
43 supersede or conflict with rules of the United States government agencies
44 having jurisdiction over aviation activities in this state.

1 D. The director shall:

2 1. Contract for ~~both~~:

3 ~~(a) the operation of state owned airports.~~

4 ~~(b) Obtaining air search and rescue services.~~

5 2. In conjunction with local authorities, plan, build and develop
6 airports, airport terminals and other related navigational facilities.

7 3. Operate and maintain the Grand Canyon national park airport located
8 in the Kaibab national forest, Coconino county.

9 Sec. 2. Section 28-8323, Arizona Revised Statutes, is amended to read:

10 28-8323. Government and dealer aircraft registration; fees

11 A. ~~The federal government,~~ This state, any political subdivision of
12 this state or the civil air patrol shall register aircraft it owns and
13 operates exclusively in the public service, but a registration fee or license
14 tax shall not be assessed on this aircraft. ~~If the federal government,~~ this
15 state, any political subdivision of this state or the civil air patrol does
16 not register the aircraft as provided in section 28-8322, ~~the federal~~
17 ~~government,~~ this state, the political subdivision or the civil air patrol
18 shall pay the department a penalty fee of twenty-five dollars for the first
19 month and five dollars for each succeeding month until it makes application
20 for registration on the form provided by the department.

21 B. An aircraft dealer licensed by the department pursuant to section
22 28-8383 shall register aircraft the dealer owns and holds for the purposes of
23 sale. If the dealer fails to register the aircraft with the department as an
24 aircraft being held for purposes of sale on a form provided by the department
25 within ten days after the aircraft is purchased by the dealer, the department
26 shall assess the registration fee prescribed in section 28-8325 and the
27 license tax prescribed in section 28-8335 on the aircraft.

APPROVED BY THE GOVERNOR MAY 12, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2008.